

FILED
Clerk
District Court

OCT 19 2007

For The Northern Mariana Islands
By _____
(Deputy Clerk)

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN MARIANA ISLANDS

TRANS PACIFIC EXPORT
COMPANY, L.L.C.,

Plaintiff

v.

MARY ANN S. MILNE,

Defendant

Civil Action No. 05-0032

ORDER DISMISSING
LAWSUIT and
CLOSING FILE

This lawsuit was filed October 31, 2005. In September, 2006, the parties represented to the court that this matter had been fully settled between them and that appropriate documents would be filed with the court reflecting the settlement. Thereafter, the court set an order to show cause for April 6, 2007, because no settlement documents had been filed and the case had not been otherwise brought

1 to a conclusion. That hearing was continued at the request of the parties until April
2 20, 2007, but was never held due to the ill health of one counsel. On May 21, 2007,
3 a substitution of counsel was filed. Since that date, nothing has been filed and it is
4 clear that the parties have not diligently pursued, or intend to pursue, this matter.
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6 Accordingly,

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8 PURSUANT TO Fed.R.Civ.P. 41(b), and as an exercise of the discretion
9 afforded to the court to *sua sponte* dismiss a matter for failure to prosecute,

10 IT IS ORDERED that this matter be and hereby is dismissed with prejudice,
11 effective this date. This dismissal acts as an adjudication on the merits.
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13 IT IS FURTHER ORDERED that this file be and hereby is closed.

14 DATED this 19th day of October, 2007.
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19 ALEX R. MUNSON

20 Judge
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